

Senate Amendment 3428

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1 1 Amend Senate File 601 as follows:
1 2 #1. Page 19, by striking lines 18 and 19 and
1 3 inserting the following:
1 4 <Due to the high numbers of articulation agreements
1 5 between the state school for the deaf and Iowa western
1 6 community college, for allocation for arrangements
1 7 made between the state school for the deaf and Iowa
1 8 western community college for deaf interpreters:>
1 9 #2. By striking page 21, line 29, through page 22,
1 10 line 26.
1 11 #3. Page 24, by striking lines 1 through 6 and
1 12 inserting the following:
1 13 <For award to 211 nonprofit call centers providing
1 14 human services information for citizens of this state,
1 15 in accordance with this section:>
1 16 #4. Page 24, by striking lines 8 through 10 and
1 17 inserting the following:
1 18 <1. The amount appropriated in this section shall
1 19 be awarded to 211 call centers that apply for funding
1 20 under this section and meet the criteria for the
1 21 funding established by the department in consultation
1 22 with an industry advisory committee. The committee
1 23 shall consist of two members who are executive
1 24 officers from a statewide organization that provided
1 25 funding to 211 call centers during calendar year 2006,
1 26 one member representing the department of elder
1 27 affairs, one member representing the board of
1 28 directors of a nonprofit call center in this state,
1 29 and an Iowa member representing the alliance of
1 30 information and referral systems. The committee shall
1 31 assist the department in reviewing funding
1 32 applications and awarding the funds.
1 33 2. The department shall submit a report to the
1 34 governor and general assembly providing detailed
1 35 information concerning the funding distributed to call
1 36 centers under this section, addressing the purposes
1 37 for which the funding was used, the call volume for
1 38 each call center, and the subject addressed by the
1 39 calls.>
1 40 #5. Page 25, by inserting after line 26 the
1 41 following:
1 42 <Sec. _____. PLASMA ARC TECHNOLOGY. There is
1 43 appropriated from the general fund of the state to the
1 44 department of natural resources for the fiscal year
1 45 beginning July 1, 2006, and ending June 30, 2007, the
1 46 following amount, or so much thereof as is necessary,
1 47 to be used for the purposes designated:
1 48 For a grant to a county with a population of more
1 49 than 190,000 but less than 200,000, according to the
1 50 2005 estimate issued by the United States bureau of
2 1 the census:
2 2 \$ 150,000
2 3 The grant shall be used to conduct a study of the
2 4 feasibility of the use of plasma arc and other related
2 5 energy technology for disposal of solid waste while
2 6 generating energy.
2 7 Notwithstanding section 8.33, moneys appropriated
2 8 in this section that remain unencumbered or
2 9 unobligated at the close of the fiscal year shall not
2 10 revert but shall remain available for expenditure for
2 11 the purposes designated until the close of the
2 12 succeeding fiscal year.>
2 13 #6. Page 27, by inserting before line 3 the
2 14 following:
2 15 <Sec. _____. TIM SHIELDS CENTER. It is the intent
2 16 of the general assembly that appropriations be made
2 17 from moneys in the state treasury to assist the local
2 18 government innovation commission in funding the Tim
2 19 Shields center for governing excellence in Iowa
2 20 established in section 8.68 if enacted by 2007 Iowa
2 21 Acts, Senate File 155.>
2 22 #7. Page 32, by inserting after line 16 the
2 23 following:
2 24 <Sec. _____. EFFECTIVE DATE. The section of this

2 25 division of this Act making an appropriation to the
2 26 department of natural resources for a plasma arc
2 27 technology grant, being deemed of immediate
2 28 importance, takes effect upon enactment.>

2 29 #8. Page 32, by inserting after line 28 the
2 30 following:

2 31 <Sec. _____. Section 7E.7, subsection 1, Code 2007,
2 32 is amended to read as follows:

2 33 1. ~~The Iowa finance authority and the Iowa~~
2 34 economic protective and investment authority shall be
2 35 considered ~~parts part~~ of the Iowa department of
2 36 economic development. The Iowa department of economic
2 37 development may provide staff assistance and
2 38 administrative support to the ~~authorities~~ authority.

2 39 Sec. _____. Section 7E.7, subsection 2, Code 2007,
2 40 is amended by striking the subsection.>

2 41 #9. Page 35, by inserting after line 25 the
2 42 following:

2 43 <Sec. _____. Section 135H.3, Code 2007, is amended
2 44 by adding the following new unnumbered paragraph:

2 45 NEW UNNUMBERED PARAGRAPH. A child who requires
2 46 treatment for a biologically based mental illness as
2 47 defined in section 514C.22, and meets the medical
2 48 assistance program criteria for admission to a
2 49 psychiatric medical institution for children shall be
2 50 deemed to meet the acuity criteria for inpatient
3 1 benefits under a group policy, contract, or plan
3 2 providing for third-party payment or prepayment of
3 3 health, medical, and surgical coverage benefits issued
3 4 by a carrier, as defined in section 513B.2, or by an
3 5 organized delivery system authorized under 1993 Iowa
3 6 Acts, ch. 158, that is subject to section 514C.22.>

3 7 #10. Page 35, by inserting before line 26 the
3 8 following:

3 9 <Sec. _____. Section 175.3, subsection 1, paragraph
3 10 a, Code 2007, is amended to read as follows:

3 11 a. ~~The agricultural development authority is~~
3 12 ~~established within the office of treasurer of state.~~

~~3 13 The authority is constituted as a public~~
3 14 instrumentality and agency of the state exercising
3 15 public and essential governmental functions.

3 16 Sec. _____. Section 175.3, subsection 7, Code 2007,
3 17 is amended to read as follows:

3 18 7. The appointed members shall elect a chairperson
3 19 and vice chairperson annually, and other officers as
3 20 they determine, but the executive director shall serve
3 21 as secretary to the authority. ~~The chairperson and~~

~~3 22 vice chairperson shall serve on the selection and~~
~~3 23 tenure committee as provided in section 175.7.~~

3 24 Sec. _____. Section 175.7, subsection 1, Code 2007,
3 25 is amended by striking the subsection and inserting in
3 26 lieu thereof the following:

3 27 1. The governor, subject to confirmation by the
3 28 senate, shall appoint an executive director of the
3 29 authority, who shall serve at the pleasure of the
3 30 governor. The executive director shall be selected
3 31 primarily for administrative ability and knowledge in
3 32 the field, without regard to political affiliation.

3 33 Sec. _____. Section 175.8, Code 2007, is amended by
3 34 adding the following new subsection:

3 35 NEW SUBSECTION. 3. For fiscal years beginning on
3 36 or after July 1, 2007, the auditor of state shall
3 37 conduct an annual audit of the agricultural
3 38 development authority to be paid from resources of the
3 39 authority notwithstanding any other audit conducted on
3 40 behalf of the authority's board of directors. The
3 41 auditor of state may acquire the services of an
3 42 outside audit firm, if necessary, to conduct the audit
3 43 as required in this subsection.>

3 44 #11. Page 39, by inserting after line 15 the
3 45 following:

3 46 <Sec. _____. Section 256C.3, subsection 5, if
3 47 enacted by 2007 Iowa Acts, House File 877, is amended
3 48 by adding the following new paragraph:

3 49 NEW PARAGRAPH. d. The state board, in
4 50 collaboration with the department, shall ensure that
4 1 the administrative rules adopted to support the
4 2 preschool program emphasize that children's access to
4 3 the program is voluntary, that the preschool
4 4 foundation aid provided to a school district is
4 5 provided based upon the enrollment of eligible

4 6 students in the school district's local program
4 7 regardless of whether an eligible student is a
4 8 resident of the school district, and that agreements
4 9 entered into by a school district for the provision of
4 10 programming in settings other than the school
4 11 district's facilities are between the school district
4 12 and the private provider.>

4 13 #12. Page 40, by inserting after line 1 the
4 14 following:

4 15 <Sec. _____. Section 284.13, subsection 1, paragraph
4 16 d, as amended by 2007 Iowa Acts, Senate File 277,
4 17 section 37, if enacted, is amended to read as follows:

4 18 d. (1) For the fiscal year beginning July 1,
4 19 2007, and ending June 30, 2008, up to twenty million
4 20 dollars to the department for use by school districts
4 21 for professional development as provided in section
4 22 284.6. The department shall distribute funds
4 23 allocated for the purpose of this paragraph based on
4 24 the average per diem contract salary for each district
4 25 as reported to the department for the school year
4 26 beginning July 1, 2006, multiplied by the total number
4 27 of full-time equivalent teachers in the base year.
4 28 The department shall adjust each district's average
4 29 per diem salary by the allowable growth rate
4 30 established under section 257.8 for the fiscal year
4 31 beginning July 1, 2007. The contract salary amount
4 32 shall be the amount paid for their regular
4 33 responsibilities but shall not include pay for
4 34 extracurricular activities. These funds shall not
4 35 supplant existing funding for professional development
4 36 activities. Notwithstanding any provision to the
4 37 contrary, moneys received by a school district under
4 38 this paragraph shall not revert but shall remain
4 39 available for the same purpose in the succeeding
4 40 fiscal year. A school district shall submit a report
4 41 to the department in a manner determined by the
4 42 department describing its use of the funds received
4 43 under this paragraph. The department shall submit a
4 44 report on school district use of the moneys
4 45 distributed pursuant to this paragraph to the general
4 46 assembly and the legislative services agency not later
4 47 than January 15 of the fiscal year for which moneys
4 48 are allocated for purposes of this paragraph.

4 49 (2) From moneys available under subparagraph (1)
4 50 for the fiscal year beginning July 1, 2007, and ending
5 1 June 30, 2008, the department shall allocate to area
5 2 education agencies an amount per teacher employed by
5 3 an area education agency that is approximately
5 4 equivalent to the average per teacher amount allocated
5 5 to the districts. The average per teacher amount
5 6 shall be calculated by dividing the total number of
5 7 teachers employed by school districts and the teachers
5 8 employed by area education agencies into the total
5 9 amount of moneys available under subparagraph (1).>

5 10 #13. Page 40, by inserting after line 7 the
5 11 following:

5 12 <Sec. _____. Section 313.2, unnumbered paragraph 5,
5 13 Code 2007, as amended by 2007 Iowa Acts, Senate File
5 14 403, section 36, if enacted, is amended to read as
5 15 follows:

5 16 The department, either alone or in cooperation with
5 17 any county, may utilize any land acquired incidental
5 18 to the acquisition of land for highway right of way
5 19 and to also accept by gift, lands not exceeding two
5 20 acres in area for roadside parks and parking areas.
5 21 The department may furnish necessary maintenance. The
5 22 department also may accept by gift, equipment or other
5 23 installations incidental to the use of such parks and
5 24 parking areas. Such parks and parking areas shall be
5 25 a part of the primary road system and the department
5 26 may at its discretion sell or otherwise dispose of
5 27 such lands. ~~The~~ Except for transactions to transfer
5 28 the jurisdiction of streets or highways, the sale,
5 29 exchange, or other means of disposal of any real
5 30 property with a fair market value of five million
5 31 dollars or more requires the prior authorization of a
5 32 constitutional majority of each house of the general
5 33 assembly and approval by the governor.>

5 34 #14. Page 40, by inserting after line 31 the
5 35 following:

5 36 <Sec. _____. Section 321.34, subsection 8, Code

5 37 2007, as amended by 2007 Iowa Acts, House File 749, if
5 38 enacted, is amended to read as follows:

5 39 8. MEDAL OF HONOR PLATES. The owner of a motor
5 40 vehicle subject to registration under section 321.109,
5 41 subsection 1, motorcycle, trailer, or motor truck who
5 42 has been awarded the medal of honor may, upon written
5 43 application to the department, order special
5 44 registration plates which shall be red, white, and
5 45 blue in color and shall bear an emblem of the medal of
5 46 honor and an identifying number. Each applicant
5 47 applying for special registration plates under this
5 48 subsection may ~~purchase order~~ only one set of
5 49 registration plates under this subsection. The
5 50 application is subject to approval by the department
6 1 and the special registration plates shall be issued at
6 2 no charge to the applicant in exchange for the

6 3 registration plates previously issued to the person.

6 4 ~~The special plates are subject to an annual~~
6 5 ~~registration fee of fifteen dollars. A person who is~~
6 6 ~~issued special plates under this subsection is exempt~~
6 7 ~~from payment of any annual registration fee for the~~
6 8 ~~motor vehicle bearing the special plates.~~ The

6 9 department shall validate the special plates in the
6 10 same manner as regular registration plates are
6 11 validated under this section. The department shall
6 12 not issue special registration plates until service
6 13 organizations in the state have furnished the
6 14 department either the special dies or the cost of the
6 15 special dies necessary for the manufacture of the
6 16 special registration plate.

6 17 The surviving spouse of a person who was issued
6 18 special plates under this subsection may continue to
6 19 use the special plates subject to registration of the
6 20 special plates in the surviving spouse's name ~~and upon~~
6 21 ~~payment of the fifteen dollar annual registration fee.~~

6 22 If the surviving spouse remarries, the surviving
6 23 spouse shall return the special plates to the
6 24 department and the department shall issue regular
6 25 registration plates to the surviving spouse.

6 26 Sec. ____ Section 321.34, subsection 12A, Code
6 27 2007, as amended by 2007 Iowa Acts, House File 749, if
6 28 enacted, is amended by striking the subsection and
6 29 inserting in lieu thereof the following:

6 30 12A. SPECIAL REGISTRATION PLATES == ARMED FORCES
6 31 SERVICES.

6 32 a. An owner of a vehicle referred to in subsection
6 33 12 who applies for any type of special registration
6 34 plates associated with service in the United States
6 35 armed forces shall be issued one set of the special
6 36 registration plates at no charge, but shall be subject
6 37 to the annual registration fee of fifteen dollars, if
6 38 the owner is eligible for, but has relinquished to the
6 39 department or the county treasurer or has not been
6 40 issued, ex-prisoner of war or legion of merit special
6 41 registration plates under this section.

6 42 b. An owner of a vehicle referred to in subsection
6 43 12 who applies for any type of special registration
6 44 plates associated with service in the United States
6 45 armed forces shall be issued one set of the special
6 46 registration plates at no charge and subject to no
6 47 annual registration fee if the owner is eligible for,
6 48 but has relinquished to the department or the county
6 49 treasurer or has not been issued, medal of honor
6 50 registration plates under subsection 8 or disabled
7 1 veteran registration plates under section 321.105.

7 2 c. The owner shall provide the appropriate
7 3 information regarding the owner's eligibility for any
7 4 of the special registration plates described in
7 5 paragraph "a" or "b", and regarding the owner's
7 6 eligibility for the special registration plates for
7 7 which the owner has applied, as required by the
7 8 department.

7 9 d. The surviving spouse of a person who was issued
7 10 special plates under this subsection may continue to
7 11 use the special plates subject to registration of the
7 12 special plates in the surviving spouse's name and upon
7 13 payment of the same annual registration fee, if
7 14 applicable. If the surviving spouse remarries, the
7 15 surviving spouse shall return the special plates to
7 16 the department and the department shall issue regular
7 17 registration plates to the surviving spouse.>

7 18 [#15](#). By striking page 42, line 19, through page
7 19 43, line 7.
7 20 [#16](#). Page 43, by inserting before line 8 the
7 21 following:
7 22 <Sec. _____. Section 423.3, subsection 89, Code
7 23 2007, is amended to read as follows:
7 24 89. a. The sales price of all goods, wares, or
7 25 merchandise sold, or of services furnished, which are
7 26 used in the fulfillment of a written construction
7 27 contract for the original construction of a building
7 28 or structure to be used as a collaborative educational
7 29 facility.
7 30 b. The sales price of all goods, wares, or
7 31 merchandise sold, or of services furnished, which are
7 32 used in the fulfillment of a written construction
7 33 contract for the construction of additions or
7 34 modifications to a building or structure used as part
7 35 of a collaborative educational facility.
7 36 c. To receive the exemption provided in paragraph
7 37 "a" or "b", a collaborative educational facility must
7 38 meet all of the following criteria in paragraph "d" or
7 39 "e":

7 40 d. (1) The contract for construction of the
7 41 building or structure is entered into on or after
7 42 April 1, 2003.
7 43 (2) The building or structure is located within
7 44 the corporate limits of a city in the state with a
7 45 population in excess of one hundred ninety-five
7 46 thousand residents.
7 47 (3) The sole purpose of the building or structure
7 48 is to provide facilities for a collaborative of public
7 49 and private educational institutions that provide
7 50 education to students.

8 1 (4) The owner of the building or structure is a
8 2 nonprofit corporation governed by chapter 504 or
8 3 former chapter 504A which is exempt from federal
8 4 income tax pursuant to section 501(a) of the Internal
8 5 Revenue Code.

8 6 e. (1) The contract for construction of the
8 7 building or structure is entered into on or after May
8 8 15, 2007.

8 9 (2) The sole purpose of the building or structure
8 10 is to provide facilities for a regional academy under
8 11 a collaborative of public and private educational
8 12 institutions that includes a community college
8 13 established under chapter 260C that provide education
8 14 to students.

8 15 (3) The owner of the building or structure is a
8 16 qualified charitable nonprofit corporation governed by
8 17 chapter 504 or former chapter 504A which is exempt
8 18 from federal income tax pursuant to section 501(c)(3)
8 19 of the Internal Revenue Code.

8 20 f. References to "building" or "structure" in
8 21 subparagraphs (1) through (4) paragraphs "d" and "e"
8 22 include any additions or modifications to the building
8 23 or structure.>

8 24 [#17](#). Page 43, by inserting before line 8 the
8 25 following:
8 26 <Sec. _____. Section 455B.306, Code 2007, is amended
8 27 by adding the following new subsection:

8 28 NEW SUBSECTION. 12. This section shall not apply
8 29 to a sanitary landfill project owned by an electric
8 30 generating facility and used exclusively for the
8 31 disposal of coal combustion residue. Notwithstanding
8 32 section 455B.301, subsection 8, a utility under this
8 33 subsection may demonstrate financial assurance through
8 34 the use of a secured trust fund, a cash or surety
8 35 bond, a corporate financial test as provided by the
8 36 department, the obtaining of an irrevocable letter of
8 37 credit, or an alternative method as provided by the
8 38 department. The financial assurance instrument
8 39 submitted must ensure the facility's financial
8 40 capability to provide reasonable and necessary
8 41 response during the lifetime of the project and for a
8 42 specified period of time following closure as required
8 43 by rules adopted by the commission.>

8 44 [#18](#). Page 44, by striking lines 4 through 6 and
8 45 inserting the following:

8 46 <Sec. _____. Section 717F.7, subsection 3, if
8 47 enacted by 2007 Iowa Acts, Senate File 564, section 7,
8 48 is amended to read as follows:

8 49 3. A person who keeps falcons, if the person has
8 50 been issued a falconry license by the department of
9 1 natural resources pursuant to section 483A.1.>
9 2 #19. Page 44, by inserting after line 8 the
9 3 following:
9 4 <Sec. _____. 2007 Iowa Acts, Senate File 403,
9 5 section 34, if enacted, is repealed.>
9 6 #20. Page 44, by inserting after line 8 the
9 7 following:
9 8 <Sec. _____. REFUNDS. Refunds of taxes, interest,
9 9 or penalties which arise from claims resulting from
9 10 the amendment to section 423.3, subsection 89, in this
9 11 division of this Act for the exemption of the sales of
9 12 goods, wares, and merchandise, and the furnishing of
9 13 services used in the fulfillment of a written
9 14 construction contract for the original construction of
9 15 a building or structure to be used as a collaborative
9 16 educational facility occurring between May 15, 2007,
9 17 and June 30, 2007, shall not be allowed unless refund
9 18 claims are filed by October 1, 2007, notwithstanding
9 19 any other provision of law.>
9 20 #21. Page 44, by inserting before line 9 the
9 21 following:
9 22 <Sec. _____. RESEARCH AND DEVELOPMENT
9 23 PREKINDERGARTEN THROUGH GRADE TWELVE SCHOOL ==
9 24 FEASIBILITY STUDY. The department of education and
9 25 the university of northern Iowa shall convene a task
9 26 force to study the feasibility of creating a research
9 27 and development prekindergarten through grade twelve
9 28 school for the state of Iowa. The task force shall
9 29 include, at a minimum, university of northern Iowa
9 30 faculty and representatives from other institutions
9 31 governed by the state board of regents and from school
9 32 districts which offer prekindergarten through grade
9 33 twelve. The task force shall address the
9 34 possibilities of creating a site where innovative and
9 35 promising practices can be studied and implemented to
9 36 improve the achievement of students in prekindergarten
9 37 through grade twelve, processes in which the findings
9 38 of such studies are shared with Iowa educators, and an
9 39 appropriate governance structure, and shall address
9 40 the necessary funding and funding sources for the
9 41 school. The task force shall consider the existing
9 42 laboratory school located at the university of
9 43 northern Iowa as the site for the research and
9 44 development prekindergarten through grade twelve
9 45 school. The task force shall submit its findings and
9 46 recommendations in a report to the general assembly,
9 47 the state board of education, and the state board of
9 48 regents by January 14, 2008.>
9 49 #22. Page 44, by inserting after line 11 the
9 50 following:
10 1 <Sec. _____. EFFECTIVE DATE. The section of this
10 2 division of this Act establishing a prekindergarten
10 3 through grade twelve feasibility study, being deemed
10 4 of immediate importance, takes effect upon enactment.>
10 5 #23. Page 44, by inserting after line 11 the
10 6 following:
10 7 <Sec. _____. EFFECTIVE DATE. The sections of this
10 8 division of this Act amending section 321.34,
10 9 subsections 8 and 12A, being deemed of immediate
10 10 importance, take effect upon enactment.>
10 11 #24. Page 70, by inserting after line 33 the
10 12 following:
10 13 <Sec. _____. Section 8.65, subsection 1, paragraph
10 14 a, subparagraph (6), if enacted by 2007 Iowa Acts,
10 15 Senate File 155, is amended to read as follows:
10 16 (6) One member representing the councils of
10 17 governments appointed by the president of the Iowa
10 18 association of regional councils of government.>
10 19 #25. Page 77, by inserting after line 11 the
10 20 following:
10 21 <Sec. _____. Section 513B.2, subsection 6, paragraph
10 22 a, subparagraph (4), unnumbered paragraph 1, as
10 23 enacted by 2007 Iowa Acts, House File 790, section 4,
10 24 is amended to read as follows:
10 25 The coverages are provided by a policy of group
10 26 health insurance coverage through two or more bona
10 27 fide associations as provided in section 509.1,
10 28 subsection 7A, which a small employer carrier has
10 29 aggregated as a distinct grouping that meets the

10 30 requirements for a class of business under section
10 31 513B.4. After a distinct grouping of bona fide
10 32 associations is established as a class of business,
10 33 the small ~~group~~ employer carrier shall not remove a
10 34 bona fide association from the class based on the
10 35 claims experience of that association. A small
10 36 employer carrier may condition coverages under such a
10 37 policy of group health insurance coverage on any of
10 38 the following requirements:>
10 39 #26. Page 77, by inserting after line 11 the
10 40 following:
10 41 <Sec. _____. Section 515.82, Code 2007, as amended
10 42 by 2007 Iowa Acts, Senate File 518, section 61, is
10 43 amended to read as follows:
10 44 515.82 SHORT RATES.
10 45 The commissioner of insurance shall prepare and
10 46 promulgate tables of the short rates provided for in
10 47 sections ~~514.125~~ 515.125 and 515.126, for the various
10 48 kinds and classes of insurance governed by the
10 49 provisions of this chapter, which, when promulgated,
10 50 shall be for the guidance of all companies covered in
11 1 this chapter and shall be the rate to be given in any
11 2 notice therein required. No company shall
11 3 discriminate unfairly between like assureds in the
11 4 rate or rates so provided.>
11 5 #27. By renumbering as necessary.
11 6
11 7
11 8 _____
11 9 ROBERT E. DVORSKY
11 10 SF 601.309 82
11 11 mg/cf/9981